

1:20-CV-1603



For attention of the Honorable Judge Brinkema.
Albert V. Bryan U.S. Courthouse
401 Courthouse Square
Alexandria, VA 22314

7 September 2022,

Your Honour,

I am sending the enclosed by courier. I informed my former attorney on September 5, 2022 that I would write to court directly with my valid reasons for being unable to attend the deposition.

I have been informed by the court that there is no way to submit this letter electronically. Given that I am outside the United States and I have to courier the document there has been some delay.

Yours sincerely,

Svetlana Lokhova

CONFIDENTIAL Please keep under seal

SEPTEMBER 6, 2022

Urgent

For the attention of the Honorable Judge Brinkema
Re LOKHOVA VS HALPER

Dear Judge Brinkema,

I am the claimant in the case, and as I am currently unrepresented, given the urgency I am writing to you personally to explain my valid reasons for not being able to attend today's deposition and for being unable to provide disclosure.

My valid reasons are: firstly, a sudden and severe health emergency and secondly, the need for liaison with the office of the Special Counsel of the US Department of Justice.

I lost all trust and confidence in my former lawyer so I terminated her on August 26, 2022. I informed my former lawyer that I would not be able to attend in advance. I informed her that I will write to the Court directly with my valid reasons.

Health Emergency

I would be grateful for this private, personal health information was kept confidential.

As I informed my then counsel and instructed her to inform the court, I have been suffering for some time from severely deteriorating health. At that point the causes were unknown.

Late last week, following sharp deterioration in my health, my condition was finally diagnosed. Following two scans (Wednesday, August 31 and Thursday, September 1) and an emergency hospital appointment, I have been consulting with doctors and awaiting hospitalisation for an emergency surgery to [REDACTED]. Next will follow a [REDACTED] and possibly further surgery, and treatment.

This left me unable to follow the case.

On the day of the deposition I needed to attend instead an appointment with my Doctor to arrange emergency surgery and interim treatment for chronic pain and other symptoms. No-one consulted me about my availability for a deposition or asked me anything before setting the time and location of the deposition.

My condition leaves me unable to fly to the UK and in no fit state for a deposition or discovery.

I ask the Court to stay this case pending the resolution of my health issues.

Special Counsel

I am a British citizen, a close ally of the United States. Since early 2020, I have been continuously "in dialogue" (a witness) with Special Counsel John Durham's team. I have had numerous confidential conversations with the US Government and turned over a large number of documents.

It was agreed that the information I provided to the Special Counsel team must remain confidential due to the ongoing inquiry.

As originally envisaged, this narrow civil case should not have intruded or overlapped into the Special Counsel investigation. I became aware of issues in July when I was forwarded the Defendant's interrogatories and disclosure requests. I alerted my then-lawyer who was instructed to inform the Judge of my obligations to the Special Counsel. The then-lawyer was also supposed to consult the Special Counsel.

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Since Friday, I have been in touch with the Special Counsel's team to receive more specific guidance regarding pending issues. During a brief conversation today, I have been made aware of the concerns that Stefan Halper's requests create, and in particular a significant conflict for me given my obligations to the Special Counsel.

I am obligated to keep confidential both the information that I have provided, questions I have been asked by the Special Counsel, and the direction of the investigations. Given the specific interrogatories and disclosure requests I cannot comply with the Court's orders without breaking the confidentiality agreement with the Special Counsel.

On the other hand, there is a risk of my claim struck out if I don't.

I am prevented from disclosing any documents that I have provided to the Government but have disclosure orders against me in this civil case which will include those documents.

I ask the Court to resolve this conflict.

For the avoidance of doubt, I want this case to continue.

Yours sincerely,

Svetlana Lokhova.